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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,880	06/09/2000	Koji Ichikawa	Q59306	1735

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Sughrue Mion Zinn MacPeak & Seas PLLC
2100 Pennsylvania Avenue NW
Washington, DC 20037-3202

EXAMINER

LONG, HEATHER R

ART UNIT	PAPER NUMBER
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2615

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DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/589,880

Applicant(s)

ICHIKAWA, KOJI

Examiner

Heather R Long

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-12, 14, 15 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 5 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 1-15 and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-4, 6, 7-12, 14, 15, 18, and 19 rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa et al. (U.S. Patent 6,115, 137).

Regarding claim 1, Ozawa et al. discloses in Figs. 1-3 and 5 a photographing apparatus comprising: a photographing device (28) for photographing a subject; a correction circuit for correcting image information obtained by photographing by the photographing device (20); an input device (16) for inputting correction information, the correction information for correcting image information received from an image forming apparatus (12); and a controller (20) that controls the correction circuit such that the image information is corrected in accordance with the correction information inputted by the input device (col. 6, lines 34-65; col. 8, line 66 – col. 9, line 49).

Regarding claim 2, Ozawa et al. discloses in Fig. 7 a photographing apparatus further comprising: a setting device (38b, 38c, 38d) for setting a condition for implementing control by the controller (20), wherein when the

condition for implementing set by the setting device (38b, 38c, 38d) is satisfied, the controller (20) controls the correction circuit (col. 6, lines 44-65).

Regarding claim 3, Ozawa et al. discloses in Fig. 7 a photographing apparatus wherein the setting device (38b, 38c, 38d) sets the condition for implementing by selecting one condition for implementing from among a plurality of conditions for implementing control (col. 6, lines 44-65).

Regarding claim 4, Ozawa et al. discloses in Fig. 13 a photographing apparatus further comprising a selector for selecting one of the correction information set in advance and the inputted correction information, wherein the correction circuit corrects the image information in accordance with one of correction information set in advance and the inputted correction information, and the controller controls the correction circuit to correct the image information in accordance with the correction information selected by the selector (col. 8, line 66 – col. 9, line 49).

Regarding claim 6, Ozawa et al. discloses in Figs 1 and 5 a photographing apparatus wherein the input device directly inputs the correction information from the image forming apparatus (12) (col. 6, lines 44-48).

Regarding claim 7, Ozawa et al. discloses a photographing apparatus wherein the correction circuit carries out conversion of image data to high quality (col. 6, lines 59-61) inherently involving contour enhancing correction.

Regarding claim 8, Ozawa et al. discloses in a photographing apparatus wherein the input device selectively inputs correction information for correcting

the image information from the image forming apparatus (col. 6, lines 26-30) from one image forming apparatus among a plurality of image forming apparatuses (col. 9, lines 42-44).

Regarding claim **9**, Ozawa et al. discloses in Figs 1-3 and 5 an image information correction method of a photographing apparatus, which method corrects image information obtained by photographing a subject by a photographing apparatus (10), the method comprising the steps of: inputting correction information for correcting the image information, wherein the correction information from an image forming apparatus (12); and correcting the image information in accordance with inputted correction information (col. 6, lines 34-65; col. 8, line 66 – col. 9, line 49).

Regarding claim **10**, Ozawa et al. discloses an image formation correction method of a photographing apparatus wherein a condition for implementing correction of the image information is set, and correction is implemented when the set condition for implementing is satisfied (col. 6, lines 49-65).

Regarding claim **11**, Ozawa et al. discloses in Figs. 7 and 13 an image formation correction method of a photographing apparatus wherein the condition for implementing is set by selecting at least one condition for implementing from among a plurality of conditions for implementing correction of the image information (col. 6, lines 44-65; col. 8, line 66 – col. 9, line 49).

Regarding claim **12**, Ozawa et al. discloses an image information correction method of a photographing apparatus wherein one of correction

information set in advance and the inputted correction information is selected, and the image information is corrected according to the selected correction information (col. 8, line 66 – col. 9, line 49).

Regarding claim **14**, Ozawa et al. discloses in Figs. 1 and 5 an image information correction method of a photographing apparatus wherein the correction information is inputted directly from the image forming apparatus (12) (col. 6, lines 44-48).

Regarding claim **15**, Ozawa et al. discloses in Figs. 1-3 and 5 a method of dispersing image information correction processings for dispersing a plurality of image information correction processings for correcting image information obtained by photographing by a photographing apparatus (10), wherein the method comprises: carrying out, at a photographing apparatus (10), at least one image information correction processing among a plurality of image information correction processings; and carrying out, at an image forming apparatus (12), image information correction processing other than the image information correction processing carried out at the photographing apparatus (10), wherein correction information for correcting image information at the image forming apparatus (12) is inputted to the photographing apparatus (10), and the photographing apparatus (10) carries out image information correction processing in accordance with the inputted correction information (col. 6, lines 34-65; col. 8, line 66 – col. 9, line 49; col. 15, lines 58-63).

Regarding claim **18**, Ozawa et al. discloses in Figs. 1 and 5 a method of dispersing image information correction processings wherein the correction information is directly inputted from the image forming apparatus (12) (col. 6, lines 44-48).

Regarding claim **19**, Ozawa et al. discloses in Figs. 5 and 6 a method of dispersing image information correction processings wherein all of the plurality of image information correction processings are carried out at the photographing apparatus (10), and image information correction processing at the image forming apparatus (12) is omitted (col. 6, line 34 - col. 7, line 56).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa et al. as applied to claim 15.

Regarding claim **17**, Ozawa et al. differs from claim 17 in that claim 17 further requires a method of dispersing image information correction processings wherein the correction information is inputted from a recording medium which is freely loaded into and removed from the photographing apparatus and on which is recorded correction information obtained from the image forming apparatus.

However, Official Notice is given that is well known in the art to input camera processing instructions to a camera using a recording medium, such an arrangement clearly being an obvious variation of the IR link used in Ozawa et al.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa et al. as applied to claim 15 above, and further in view of Nonoshita et al. (U.S. Patent 5,610,726).

Regarding claim **20**, Ozawa et al. differs from claim 20 in that claim 20 requires a method of dispersing image information correction processings wherein the plurality of image information correction processings include at least two of white balance correction processing, gamma correction processing, contour enhancement correction processing, and color correction coefficient correction processing, wherein Ozawa et al. discloses only one of the image information correction processings (see rejection for claim 7).

Referring to the Nonoshita et al. reference, Nonoshita et al. teaches a printer connected to an image processor wherein image data is subjected to gamma correction in accordance with the printer in order to obtain a paper print (col. 1, lines 44-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Nonoshita et al. with Ozawa et al. and included gamma correction processing as one of the image information correction processings being dispersed because it is well

known in the art that a proper print can only be obtained if a gamma correction is made according to the gamma characteristics of the image forming apparatus.

Allowable Subject Matter

7. Claims 5 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: Prior art fails to teach or fairly suggest a photographing apparatus or an image correction method of a photographing apparatus:

- a. wherein a recording medium, on which image information corrected by the correction circuit and correction information obtained from the image forming apparatus are recorded, can be freely loaded into and removed from the photographing apparatus, and the input device inputs correction information from the recording medium which is loaded in the photographing apparatus (claim 5).
- b. wherein the correction information is inputted from a recording medium which is freely loadable into and removable from the photographing apparatus and on which is recorded image information which has been corrected and correction information obtained from the image forming apparatus (claim 13).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R Long whose telephone number is 703-305-0681. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

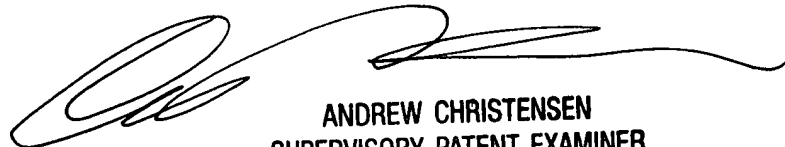
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HRL
May 28, 2004



ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600